

25

1 impacts that may be felt by Oxnard residents.

T005-2.14
(cont'd)

2 The adverse impact of the floating platform and
3 pipelines will have on real estate values here, in our City.

T005-2.15

4 And the impact of a catastrophic failure of a
5 platform or transport vessel during docking.

T005-2.16

6 And one of the most important issues here is the
7 impact of a leak of a large scale LNG spill. The residents
8 of Oxnard will not stand, and we are adamant, we no longer
9 are going to tolerate this type of projects here, in our
10 City.

T005-2.17

11 Thank you so much.

12 MODERATOR MICHAELSON: Thank you.

13 (Applause.)

14 MODERATOR MICHAELSON: While the first speakers
15 were speaking, I had two more handed to me of individuals
16 representing elected officials, so I'm going to let them go
17 first, according to our protocol here.

18 The first would be Jenifer Ancona, representing
19 Pedro Nava, Assemblyman elect, and Jeremy Tittle,
20 representing Congresswoman Capps' office.

21 MS. ANCONA: Hi, I'm Jenifer Ancona, and I'm here,
22 representing Pedro Nava, who is the incoming Assembly Member
23 for the 35th District.

24 (Applause.)

25 MODERATOR MICHAELSON: Would you please hold

COMMENTER
T005-3

T005-2.15

Section 4.16.1.2 contains updated information on property values.

T005-2.16

Section 4.2.7.6 and the Independent Risk Assessment (Appendix C1) contain information on public safety impacts from various incidents at the FSRU. The analysis indicates that the maximum impact distance of an accident would involve a vapor cloud dispersion extending 6.3 nautical miles (7.3 miles) from the FSRU. The FSRU would be located approximately 12.01 nautical miles (13.83 miles) offshore; therefore, consequences of an accident involving LNG transport by carrier and storage on the FSRU would extend no closer than 5.7 nautical miles (6.5 miles) from the shoreline. Figure ES-1 depicts the consequence distances surrounding the FSRU location for worst credible events.

T005-2.17

Sections 4.2.1 and 4.2.7 and Appendix C discuss the size of a potential LNG spill. Sections 4.3.4 and 4.7.4 describe the impacts of a potential LNG spill and mitigation measures. Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-3

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

1 applause so we can get through all of them? Thank you.

2 MS. ANCONA: Sure. He's actually not officially
3 being sworn in until next Monday, so I'm here tonight really
4 to listen to the community, hear about the project, and let
5 the community know that Mr. Nava will be following this
6 issue with great interest and great scrutiny in the coming
7 weeks and months, and does plan to submit some written
8 comments prior to December 20th.

9 So thank you.

10 MODERATOR MICHAELSON: Thank you very much.

11 The next speaker is Jeremy Tittle.

12 MR. TITTLE: Hi, there. Thank you for this
13 opportunity to comment. My name's Jeremy Tittle, I'm
14 representing Congresswoman Lois Capps. And Congresswoman
15 Capps represents the 23rd Congressional District, which
16 includes the area offshore, the proposed site of the LNG
17 terminal here.

COMMENTER T005-4

18 She also sits on the Energy and Commerce
19 Committee, which is very involved, and in that capacity
20 she's very involved in the policy making at the federal
21 level, that affects these issues.

22 A representative from our office, Vanessa
23 Hernandez, submitted comments on the Congresswoman's behalf
24 earlier today, in a written form, and also summarized those
25 comments here, at the podium.

1 And I just wanted to briefly reiterate some of
2 those comments. The Congresswoman has some very serious
3 concerns about the draft EIS and about this proposal.

4 She first, on November 5th, had written to the
5 Coast Guard asking for a 60-day extension to the comment
6 period because of the -- you know, this is a very serious
7 proposal and something that the Oxnard community, and other
8 residents of the area, should have ample time to read the
9 draft Environmental Impact Statement and weigh in on.

10 She has not received a response from the Coast
11 Guard, yet, and is hopeful that she will receive a response
12 in the next couple weeks, to extend that comment period.

13 She also feels that there's not, aside from this
14 proposal, but also as it impacts this, there has not been
15 significant or appropriate policy discussion on the clear
16 amount of need for LNG facilities, and the clear energy and
17 natural gas needs that we face as a State, and a region of
18 this country.

19 There has also not been a clear look at the
20 alternatives, such as wind, and solar, and other alternative
21 energies, and conservation. And that frames the whole
22 discussion, I think she feels that's important to this
23 discussion, here.

24 On this particular EIS, she feels that there are
25 serious concerns, that she has serious concerns about the

T005-4.1

T005-4.1

On December 1, 2004, Admiral Collins, Commandant, USCG, responded to your request.

All deepwater port applications fall under the authority of the Deepwater Port Act, which requires that a decision on the application be made within 330 days of the publication of the Notice of Application in the Federal Register. The Notice of Application for the Cabrillo Port Project was published in the Federal Register on January 27, 2004. Although the comment period (53 days) could not be extended at that time, a Revised Draft EIR was recirculated in March 2006 under the CEQA for an additional public review period of 60 days. Section 1.4.1 contains additional information on this topic.

Section 1.5 contains information on opportunities for public comment. After the MARAD final license hearing, the public will have 45 days to comment on the Final EIS/EIR and the license application. The Federal and State agencies will have an additional 45 days to provide comments to the MARAD Administrator. The Administrator must issue the Record of Decision within 90 days after the final license hearing. The CSLC will hold one or more hearings to certify the EIR and make the decision whether to grant a lease. The California Coastal Commission will also hold a hearing. Comments received will be evaluated before any final decision is made regarding the proposed Project.

T005-4.2

T005-4.2

Sections 1.2.2 and 1.2.3 contain updated information on natural gas needs in the U.S. and California. Forecast information has been obtained from the U.S. Department of Energy's Energy Information Agency and from the California Energy Commission.

T005-4.3

T005-4.3

Sections 1.2.2, 1.2.3, 1.2.4, 3.3.1, 3.3.2, and 4.10.1.3 contain information on the need for natural gas, the role and status of energy conservation and renewable energy sources, and the California Energy Action Plan.

T005-4.4

Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy

Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

T005-4.4

Section 4.2 and the Independent Risk Assessment (Appendix C1) address the public safety issues associated with this Project.

28

T005-4.4
(cont'd)

1 safety impacts and how they're addressed within the EIS.
 2 This is proposed near shipping and fishing industries, and
 3 she feels that a lot of the impacts on those industries have
 4 not been sufficiently looked at in the draft EIS.

T005-4.5

5 Also, the impact on potential terrorism potential.
 6 Port security has not been addressed the way it should be in
 7 this country, the Coast Guard's underfunded. All these need
 8 to be addressed.

T005-4.6

9 Also, the geological hazards that are potential in
 10 the channel have not been looked at in this EIS.

T005-4.7

11 Finally, the environmental impacts to the marine,
 12 wildlife, and natural resources that surround this, and the
 13 potential with noise, air and water pollution, visual
 14 impacts, and the impacts of coastal development that have
 15 not been looked at.

T005-4.8

16 And finally, in conclusion, I just want to say, on
 17 the Congresswoman's behalf, that unless these issues and
 18 concerns are adequately, and completely addressed, and
 19 resolved, she'll have no choice but to oppose this project.

T005-4.10

20 Thanks for the time.

21 MODERATOR MICHAELSON: Thank you very much.

22 (Applause.)

COMMENTER
T005-5

23 MODERATOR MICHAELSON: The Honorable John Olsen.

24 AUSTRALIAN COUNSEL GENERAL OLSEN: Good evening,

25 John Olsen, Australia's Counsel General, based in

T005-4.5

Sections 4.16.1 and 4.16.4 describe the existing conditions, potential impacts on, and mitigation measures concerning the fishing industries. Sections 4.3.1 and 4.3.4 describe potential impacts on commercial vessel traffic and associated mitigation measures.

T005-4.6

Table 4.2-2 and Sections 4.2.6.1 and 4.2.7.6 contain information on the threat of terrorist attacks. Appendix C3-2 contains additional information on marine safety and security requirements.

T005-4.7

Section 4.11.1 describes geologic hazards in the Santa Barbara Channel.

T005-4.8

Section 4.7.4 contains information on marine resources, Section 4.8.4 contains information on wildlife, and Section 4.15 contains information on other natural resources.

T005-4.9

Section 4.14 contains information on noise, Section 4.6 contains information on air quality, Section 4.18 contains information on water quality, Section 4.4 contains information on visual impacts, and Section 4.13 contains information on coastal development.

T005-4.10

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

1 California.

2 I'd like to make several points, if I might, to
3 the meeting this evening. Firstly, in relation to
4 Australian and United States relationships, the supply and
5 demand of LNG, and BHP Billiton as a company, and its
6 standing within Australia.

7 Australia has substantial gas reserves, something
8 like 143 trillion cubic feet of gas, and industry considers
9 that a conservative estimate.

10 Australia's capacity to expand those exports from
11 8 million tons per annum to well in excess of 40 million
12 tons per annum is based on current levels of gas
13 availability.

14 Australia is a reliable and competitive LNG
15 exporter. And I make the point that Australia is the only
16 major LNG exporter that is a western nation.

17 Australia has been a friend of the United States
18 for well over a century. On every occasion there's been
19 international conflict, Australia has stood foursquare
20 behind the United States. We are allies and friends. We
21 have respected one another and worked together to the
22 betterment of both nations throughout that one hundred
23 years.

24 The balance of trade in California is significant
25 in its favor. Manufactured goods going from California to

T005-5.1

T005-5.1

Thank you for the information. Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

1 Australia has a surplus for the State of just short of 2
2 billion dollars annually.

3 In addition to that, there is a surplus of trade
4 between the United States and Australia. The beneficiary,
5 the United States, between 5 and 8 billion dollars annually.

6 And I'll note that there's not many countries
7 trading with the United States that you have a surplus of
8 that with, currently.

9 We have an impeccable safety record in Australia.
10 Through the Northwest Shelf, where the gas is located, 1,600
11 shipments have been sent throughout the world without a
12 single incident over that period of time. We take, in
13 Australia, our security issues quite seriously.

14 We do not, the Northwest Shelf, allow any fleet,
15 with flags of convenience, to take our gas overseas. They
16 are flagged by Australian ships, British ships, and Japanese
17 ships.

18 In relation to BHP Billiton, BHP Billiton is one
19 of Australia's oldest, largest, and best-regarded Australian
20 companies. It is the world's largest diversified resource
21 company. And as the Prime Minister has acknowledged, it's
22 standing as a corporate citizen within Australia is
23 outstanding, not only to the communities in which its plants
24 are located, but to its workforce. To the extent that the
25 policies it's implemented with its workforce has drawn

T005-5.1
(cont'd)

1 credit and praise from the union movement in Australian, and
2 the Australian Labor Party.

3 I thank you for the opportunity to present these
4 views to your meeting this evening, and the courtesy with
5 which the meeting has received them.

6 MODERATOR MICHAELSON: Thank you.

7 (Applause.)

8 MODERATOR MICHAELSON: In going through the rest
9 of the sign-ups, I notice that there's another agency
10 representative, George M. Shaw, California Department of
11 Education, if you'd like to come forward? And then I think
12 we'll be ready to start with the individuals and
13 organizations. Thank you.

14 MR. SHAW: Am I next?

15 MODERATOR MICHAELSON: Yes.

16 MR. SHAW: I'm next. My name is George Shaw, I'm
17 a representative of the California Department of Education.
18 It's always good to work with a sister State agency, and we
19 look forward to working with the State Lands Commission on
20 this.

21 At the outset, I'd like to say that we do support
22 the 60-day extension on the comment period that
23 Congresswoman Capps has proposed. I think it's entirely
24 warranted and probably even necessary, in this case.

25 The educational community in this area is

T005-5.1
(cont'd)

T005-6

Your statement is included in the public record and will be taken into account by decision-makers when they consider the proposed Project.

T005-6.1

All deepwater port applications fall under the authority of the Deepwater Port Act, which requires that a decision on the application be made within 330 days of the publication of the Notice of Application in the Federal Register. The Notice of Application for the Cabrillo Port Project was published in the Federal Register on January 27, 2004. Although the comment period (53 days) could not be extended at that time, a March 2006 Revised Draft EIR was recirculated under the CEQA for an additional public review period of 60 days. Section 1.4.1 contains additional information on this topic.

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COMMENTS
T005-6

T005-6.1

1 understandably alarmed. First, because although it's a low
2 incidence, very high consequence hazard, pipelines of this
3 size and capacity present an even more onerous hazard. And
4 secondly, because the proposed pipeline routes pass by
5 either existing schools or school sites that are on their
6 way to approval to have new schools placed upon them.

7 The California Department of Education is charged
8 by the Legislature, as you know, to establish standards of
9 safety and approval for school sites in California, and
10 we've done that. Included in those standards, Title V of
11 the California Code of Regulations is one that requires a
12 pipeline risk analysis anytime a school site is within 1,500
13 feet of a pipeline or a storage tank.

14 In cases where the pipeline is so large, the
15 capacity is so great, we are going to require a study at an
16 even greater distance, 2,000 feet, maybe a little longer.

17 That doesn't mean that that's necessarily a
18 setback, but our recent experience has been, even here in
19 Oxnard, that in Rice Avenue, where there's -- I think it's a
20 30-inch pipeline, that operates about 585 PSI, that the
21 pipeline risk analysis requires a 960-foot setback to the
22 school property.

23 So this is a significant aspect that you need to
24 consider.

25 The only effective mitigation is distance, because

T005-6.2

T005-6.2

Section 4.2.8 addresses safety issues related to natural gas pipelines. Section 4.2.8.4 contains information on the estimated risk of Project pipeline incidents.

T005-6.3

T005-6.3

Section 4.13.1 contains information on sensitive land uses in proximity to proposed and alternative pipeline routes, such as schools. There are no schools in the immediate vicinity of either of the proposed pipeline routes. Section 4.2.8 describes regulations regarding pipelines, including the requirement to establish public education programs to prevent and respond to pipeline emergencies. Section 4.2.8.4 contains information on the estimated risk of Project pipeline incidents. Section 4.16.1.2 describes emergency planning and response capabilities in the Project area.

The proposed pipelines within Oxnard city limits would meet standards that are more stringent than those of existing pipelines because they would meet the minimum design criteria for a U.S. Department of Transportation (USDOT) Class 3 location. Also, MM PS-4c includes the installation of additional mainline valves equipped with either remote valve controls or automatic line break controls. SoCalGas operates high-pressure natural gas pipelines throughout Southern California.

T005-6.4

Section 4.13.1.3 contains information on this topic.

1 of the extreme radiant heat. And I suspect that this will
2 be a limiting factor in your decision as to placement of any
3 pipeline in this area. To make it work, you probably really
4 have to get out into the countryside.

T005-6.4
(cont'd)

T005-6.5
See the response to Comment T005-6.1.

5 Again, we do support a 60-day extension of the
6 commenting period.

T005-6.5

T005-7
Thank you for the information.

7 Thank you very much.

8 MODERATOR MICHAELSON: Thank you.

9 (Applause.)

10 MODERATOR MICHAELSON: The next speaker. If we
11 could please refrain, I'm going to have a really hard time
12 getting through all of these if we have to pause every time
13 before we can bring up the next speaker.

14 Joe Chow is next.

15 MR. CHOW: Good evening. My name is Joe Chow, I'm
16 the District Manager for Southern California Gas Company.

COMMENTS
T005-7

17 First, let me state that we have no position on
18 the proposed Cabrillo Port LNG facility. Rather, we believe
19 it is up to the local communities and appropriate regulatory
20 agencies to decide if and where LNG facilities should be
21 sited, and what mitigation measures will be required for
22 approved facilities.

23 I am here, speaking to you this evening, to
24 respond to questions that have arisen about two issues, the
25 safety of our pipeline system and the need for this natural

1 gas.

2 We know that there is concern about the size of
3 the pipelines, that is the proposed pipeline that is going
4 to be built for the LNG facilities, but let me say that
5 currently we do have 34-inch pipelines running through the
6 City of Oxnard, that have been operating safely since 1971.

7 Safety is the Gas Company's most important
8 priority. We devote a lot of time and effort to ensure that
9 we provide safe, reliable service.

10 Here's some of what we do. First, all new
11 facilities follow design and construction practices and
12 includes conservative design factors, and rigid inspection,
13 and testing prior to being put into service.

14 For existing pipelines, we regularly conduct
15 leakage surveys and patrols to identify potential leaks and
16 problems. Cathodic protection, a system designed to prevent
17 pipes from deteriorating, has been installed on all of our
18 transmission pipelines.

19 In addition, whenever we work on a line, we look
20 for potential problems and analyze samples of the pipe. We
21 also, periodically, analyze liquids that routinely enter the
22 pipeline with the natural gas.

23 Additional, for the last several years we have had
24 a pipeline integrity program to evaluate the condition of
25 our transmission pipelines. As part of this program, we

1 assess potential risk, inspect pipelines, and take needed
2 corrective action, which may include repair or replacement
3 of the pipeline.

4 We currently are spending about 35 million dollars
5 a year on this pipe, on this program.

6 That covers the pipeline safety, and now I want to
7 talk about additional supplies of natural gas that are
8 needed. Many of us, in Southern California, rely on natural
9 gas. In fact, the percentage of homes, businesses, and
10 electric power plants fueled by natural gas is greater in
11 California than anywhere else in the nation.

12 The Gas Company delivers nearly one trillion cubic
13 feet of natural gas annually. That is about four to five
14 percent of all natural gas delivered to the United States.

15 The Gas Company believes more supply sources are
16 needed. Gas on gas competition will result in lower prices.
17 Our customers will reap the benefit with lower prices and
18 increased reliability.

19 We favor adding a diverse set of supply sources to
20 the system. Potential new supplies may come from, for
21 example, the Rocky Mountains --

22 MODERATOR MICHAELSON: Joe, time.

23 MR. CHOW: Okay, let me finish. But LNG --

24 MODERATOR MICHAELSON: Joe.

25 MR. CHOW: Thank you.

1 MODERATOR MICHAELSON: Bill Terry.

2 MR. TERRY: Good evening. My name is Bill Terry,
3 I appreciate the opportunity to speak to you.

COMMENTER
T005-8

4 First, I'd like to say that bribery is illegal,
5 but the word "lobby" is used instead of -- instead, but both
6 of them are the same. A lot of money's been spread around
7 this community, trying to get people, buying people's
8 silence or support.

9 I feel that enough was not paid for getting this
10 EIS/EIR or else you got ripped off, because it glosses over
11 important information which is necessary to evaluate this
12 project.

13 But first, I need to know how long has BHP
14 Billiton been in the LNG business. Do they own gas fields,
15 trains to convert the gas, LNG tankers, receiving
16 facilities.

T005-8.1

17 The two, BPH from Australia, and Billiton, from
18 England, by way of South Africa -- from South Africa, by way
19 of England, merged about two -- about three or four years
20 ago. I feel the public needs to know the applicant's
21 history of union busting, environmental damage, human rights
22 violations before allowing our health and safety to be
23 placed in their hands.

24 I question their ability to follow laws, or skirt
25 them. Exhibit A, I'll turn that in.

T005-8.1

Public information on the Applicant's LNG experience is available on the company's website (www.bhpbilliton.com). The Applicant is required to adhere to all applicable Federal, State, and local laws, regulations, and permit requirements in the execution of all phases of the Project. Section 4.2.6 states, "The environmental and occupational safety record for the Applicant's worldwide operations, including, for example, mining ventures overseas, was not considered in evaluating potential public safety concerns associated with this Project because such operations are not directly comparable to the processes in the proposed Project." The conclusions in the EIS/EIR are based on the analyses of potential environmental impacts of the proposed Project and the implementation assumptions stated in Section 4.1.7. However, the Applicant's safety and environmental record may well be taken into account by decision-makers when they consider the proposed Project.

1 There's talk about stable gas supply. Natural
2 gas, used in Australia, is relatively small, but it has been
3 growing rapidly in recent years. Their electric generation
4 is approximately 84 percent, mostly coal. They will need
5 their case when they become more caring about the
6 environment, or is it they just get more money by shipping
7 it here? Exhibit B.

8 Environmental justice. Ventura County is a
9 community, not a number of census tracks.

10 Pipeline safety. Recent laws have been passed to
11 tighten up the regulations, but agencies that enforce them
12 have not been funded properly. Exhibit C.

13 There is no guarantee of safety of a pipeline.
14 Refer to the Study of Stress, Erosion, Cracking study by the
15 Department of Transportation, Exhibit D.

16 Credibility is very important. The energy
17 companies that are supporting this is what they need
18 very -- what they have very little of. Enron was one up on
19 the front page, but the following companies are in -- is
20 under investigation by the California PUC into their gas
21 market activities, Southern California Gas Company, San
22 Diego Gas and Electric, Southwest Gas, Pacific Gas and
23 Electric, Southern California Edison, and their impact on
24 gas price spikes experienced during March 2000 through May
25 2001.

T005-8.2

Section 4.19 contains information on environmental justice issues and impacts as addressed by State and Federal regulations.

T005-8.3

Section 2.1 and Appendix C3-2 identify applicable safety standards for pipelines. Section 4.2.8 contains information on safety requirements for pipelines. Sections 4.2.4, 4.2.7.3, and 4.2.8.2 identify agencies with the authority and responsibility for safety standards, design reviews, and compliance inspections.

T005-8.2

T005-8.3

1 According to the DW --

2 MODERATOR MICHAELSON: Thank you.

3 MR. TERRY: All right.

4 MODERATOR MICHAELSON: Keep in mind that, again,
5 you can make as lengthy of comments as you would like to in
6 writing and --

7 (Standing Applause.)

8 MODERATOR MICHAELSON: Please, if you would allow
9 us to get through the commentators.

10 The next speaker is Jim Woolway. He will be
11 followed by Dr. Ron Koopman, Mike Blakeslee, Alan Sanders,
12 John Coelho, Doug Van Leuven. And again, as I call your
13 name, if you would come and sit in the reserved seating, I'd
14 appreciate it.

15 MR. WOOLWAY: I'm Jim Woolway. I live in Chula
16 Vista, California. And I was requested to come up here by a
17 shipmate and an old union brother, to share a little bit
18 about my experience with the LNG world.

19 My background is I'm a retired Naval officer, and
20 I retired in 1978, and immediately thereafter I got my
21 Master's license in the Merchant Marine, from the Coast
22 Guard, and then I spent the next 16 years going back to sea,
23 again, with the Energy Transportation Company, which was in
24 the LNG project, delivering LNG from Indonesia to four ports
25 in Japan.

T005-9
Thank you for the information.

COMMENTER T005-9

1 I just wanted to share with you, just to give,
2 hopefully, lessen your concerns in some areas on the subject
3 of LNG. I mean, I was aboard one LNG ship there, where I
4 worked as the cargo officer for almost 16 years. I spent
5 the first two months in training, in schools in Baltimore,
6 and then eight more months on the ship before I took over
7 the job as chief mate and cargo officer, and relief master
8 from time to time.

9 So in dealing with LNG, we safely picked it up in
10 Indonesia, we carried it for 3,000 miles from the North
11 Coast of Somatra, through the South China Sea, and a very
12 busy area, through the Singapore Straits. And we did that
13 20 times a year for my ship, and multiply that times eight,
14 and so there eight LNG ships in our fleet that delivered LNG
15 safely to Japan.

16 So I don't know, somewhere around 2,800 loads that
17 we took up there in the period that I sailed with the
18 company.

19 And the nicest thing about it is LNG is a very
20 benign product. It's also very powerful. But what makes it
21 so safe is it's nontoxic, it doesn't mix toxically with
22 anything. It was a friendly cargo, user-friendly I'd say,
23 in today's lingo.

24 But the thing is we carried it with basically just
25 a pound of pressure.

1 I better watch for my signal.

2 The thing is I guess what I really want to impress
3 upon you is that it was a very safe cargo and we delivered,
4 let's say, millions of cubic meters of that, at 55,000 tons
5 a crack, in the case of my ship, and that it was delivered
6 in a safe, timely fashion. And that it was delivered even
7 in inland sea ports in Japan, so that we were right in the
8 heart of Oshino, and Kitakyushu, the Southern Island of
9 Japan, making a safe delivery.

10 And I guess that's really what I want to impress
11 upon you is that I -- my angle, of course, for coming here
12 is I'm a retired union man and I would love to see American
13 seamen involved in the delivery to the United States,
14 because I know we can do it safely. And I know that I saw
15 the Japanese --

16 MODERATOR MICHAELSON: Thanks. Thank you,
17 Mr. Woolway.

18 MR. WOOLWAY: Okay, and that's all.

19 MODERATOR MICHAELSON: Thank you. Next --

20 (Applause.)

21 MODERATOR MICHAELSON: Again, I'd like to ask for
22 respect and civility. I know there are strong feelings, and
23 you may hear things you disagree with, but everyone deserves
24 respect.

25 Dr. Ron Koopman.

1 DR. KOOPMAN: Good evening. My name is Ron
2 Koopman. I have a Ph.D. in Applied Physics. I'm a licensed
3 professional engineer. I worked at Lawrence Livermore
4 National Lab for 36 years.

5 In 1977 until 1989, I headed a program researching
6 the hazards of liquified natural gas. This included large
7 scale experimental spills of LNG and the development of
8 models for LNG behavior in the atmosphere, that we still use
9 today.

10 We were one of only a few scientific teams in the
11 world that were doing this work.

12 What's commonly known as the 1977 Oxnard EIR, and
13 officially named the 1977 LNG Safety and Site Analysis, was
14 written for the Cities of Port Hueneme and Oxnard, before
15 the scientific community knew how to model LNG plumes.

16 The work of Professor Jerry Havens, for the U.S.
17 Coast Guard, forms the basis for that 1977 report. He cited
18 hazard distances in the range of three-quarters of a mile to
19 approximately 17 miles, in his report.

20 Today, I spoke to Professor Havens. I also spoke
21 to Professor James Fay, from MIT, both early researchers in
22 this field, and both cited in the 1977 report.

23 In my conversations with Professor Havens and
24 Professor Fay, they both expressed concern to me about the
25 misuse of their work to influence public opinion, when

COMMENTER
T005-10

T005-10.1
Thank you for the information.

T005-10.1

1 better scientific models are now available. As a result,
2 they both intend to submit statements on the record. We
3 should hear from them in the near future.

4 The 1977 Oxnard EIR should be relegated to
5 history, it should not be used for modern decision making,
6 it should not be used to influence public opinion.

7 Why do I believe that? Here are three reasons.
8 The modeling used in 1977 was very primitive by today's
9 standards, the results of even that primitive modeling were
10 misused in the report, resulting in incorrectly extrapolated
11 hazard distances. The worst being as long as 127 miles from
12 the spill of a very large LNG storage tank.

13 This distance, this particular calculation was
14 attributed to Professor Fay. He denies all knowledge of
15 that estimate.

16 The other models were extrapolated resulting in
17 the choice of a 40-mile distance, which was later reduced to
18 30 miles in the report. There was no basis for that.

19 I would urge the public to put the 1977 Oxnard EIR
20 into its proper perspective and recognize that it has no
21 scientific validity.

22 Thank you.

23 MODERATOR MICHAELSON: Thank you.

24 The next speaker is Mike Blakeslee.

25 MR. BLAKESLEE: My name is Mike Blakeslee and I

T005-10.2

Section 4.2.3, the Independent Risk Assessment (Appendix C1),
and the U.S. Department of Energy's Sandia National Laboratories'
review of the Independent Risk Assessment (Appendix C2) contain
revised information on the 1977 Oxnard study.

T005-10.2

T005-11

Thank you for the information.

COMMENTER
T005-11

1 sailed for 20 years aboard an LNG tanker, which carried
2 125,000 cubic meters of LNG when loaded. This was one of
3 eight such vessels, which carried 3,000 shiploads of LNG
4 from Indonesia to Japan without incident.

5 For much of my tenure, I was the shipboard
6 engineer responsible for keeping the LNG in a benign state.
7 I say this in hopes of alleviating unfounded fear
8 surrounding this facet of the overall issue.

9 As a resident of California, I feel the
10 environment will be much better served by importing LNG,
11 than not doing so.

12 I will continue to advocate the research, and
13 development, and implementation of wind, solar, and
14 geothermal. However, LNG is definitely a major component in
15 the quest for cleaner air. Importing LNG will also offset
16 the rising cost of domestic natural gas and crude oil, as
17 well.

18 Thank you.

19 MODERATOR MICHAELSON: Alan Sanders.

20 MR. SANDERS: Good evening. I'm Alan Sanders,
21 Sierra Club, Los Padres Chapter, Conservation Chair.

COMMENTER T005-12

22 I want to speak to you about one more issue, which
23 is the Channel Islands National Marine Sanctuary and Marine
24 Reserve.

25 The analysis, in the EIR, essentially says that

1 expansion of the Marine Sanctuary is speculative at this
2 point, and so it didn't go much further, and I really
3 disagree with that.

4 There are proposals that many of us have been
5 working on for a number of years and I, myself, am a
6 participant on the Marine Sanctuary Environmental Working
7 Group, and I'm also a member of the County Fish and Game
8 Commission, and we've both visited this issue.

9 And I think it's important because the prospect of
10 increasing the boundaries of the Marine Sanctuary, which is
11 one of the proposals, in fact, there are proposals to
12 increase the boundaries all the way onshore, I think are
13 significantly impacted by this project if no position is
14 taken prior to that happening.

15 So I would recommend that there be further
16 analysis on that, and that the applicant entertain the
17 prospect of supporting expansion of the boundaries of the
18 Marine Sanctuary, and either including language that would
19 exempt the facility, or to create a circle around the
20 facility, or somehow coming to a mechanism so that we don't
21 find ourselves in a situation, sometime hence, when the
22 applicant is now arguing against revision of the Marine
23 Sanctuary boundaries. And all of this applies to the
24 concept of the Marine Reserve, as well.

25 So again, in my opinion, this is a particular

T005-12.1

The FSRU would be located outside of the current boundary of the Channel Islands National Marine Sanctuary (CINMS) and vessels associated with Cabrillo Port operations would not be expected to enter the CINMS. Sections 4.7.1.4, 4.13.2.2, and 4.20.1.5 discuss the potential expansion of the CINMS boundary, which is not proposed at this time. Sections 4.7.4, 4.15.4, 4.16.4, and 4.18.4 describe potential impacts on the marine environment and proposed mitigation measures to reduce those potential impacts.

T005-12.1

1 aspect that deserves further analysis. I believe there's a
2 significant impact upon that, and it probably falls under
3 land use planning designations.

T005-12.1
(cont'd)

T005-13
Thank you for the information.

4 Thank you.

5 MODERATOR MICHAELSON: Thank you for addressing
6 the document. The next speaker --

7 (Applause.)

8 MODERATOR MICHAELSON: The next speaker is
9 John Coelho.

10 MR. COELHO: Good evening. My name is John
11 Coelho, I'm a member of the MEBA and a retired ship's
12 officer.

COMMENTER
T005-13

13 I have over 20 years of experience in the handling
14 and the transportation of LNG. I'm in favor of the Cabrillo
15 Port project because I know, from my extensive experience,
16 that if done right it is a safe and viable project.

17 For over 20 years I loaded, transported, and
18 discharged LNG in six terminals, in Indonesia and Japan.
19 These terminals were not 14 or 15 miles offshore. They were
20 onshore. And one of them was almost 50 miles inland. We
21 did it safely and without incident.

22 To those of you who are unaware, we have a pool of
23 experienced professionals who have handled LNG for as long
24 as I have, and more.

25 If we prevail upon BHP Billiton, as we should, to

1 do this right, by a well-trailed people, then safety is not
2 an issue to me. I know it can be done safely because I did
3 it.

4 LNG is a clean and environmentally-friendly energy
5 resource. I know, I was involved in the handling and
6 transportation of this clean energy.

7 As a resident of California, I welcome the
8 Cabrillo Port project and look forward to seeing it come
9 online.

10 Thank you for your attention.

11 MODERATOR MICHAELSON: The next speakers, if they
12 would come up to the reserved seating here, after
13 Doug Van Leuven will be Bill Sutton, Jean Rountree, Mary
14 Dodd, Al Yablon, and Tim Riley.

15 Doug Van Leuven.

COMMENTER
T005-14

16 MR. VAN LEUVEN: My name is Doug Van Leuven, Chief
17 Engineer, United States Coast Guard, Certified Cargo
18 Engineer for LNG operations.

19 I'm not a resident of Oxnard, but I grew up in
20 La Habre. My wife grew up in Glendora, and we met and
21 raised five children in Santa Rosa.

T005-14.1

22 I support the BHP Billiton Cabrillo Deepwater Port
23 project because LNG transportation has been proven to be
24 safe. For more than 20 years LNG ships plied their trade
25 under American flag, crewed by American sailors.

T005-14.1
Thank you for the information.

1 The wives and children of the officers frequently
2 sailed with us. We believed them safer aboard an LNG tanker
3 than walking the streets back home.

4 I support the use of LNG because I oppose nuclear
5 plants and coal-burning facilities.

6 I began my career as an LNG officer in late 1980.
7 Then, the issue was who had the best training to guarantee
8 the safe transportation of a petrochemical.

9 Today, we are concerned not only with the safe and
10 reliable transportation of LNG, but with the security of our
11 ports and our ships. What better way to guarantee the
12 security of these vessels than to crew them with Americans,
13 certified by the United States Coast Guard, now part of
14 Homeland Defense.

15 These are -- there are hundreds of active officers
16 in the American Merchant Marine who, like me, have decades
17 of experience in the safe and reliable transportation of
18 LNG.

19 I believe I can speak not only for myself, but for
20 my shipmates in LNG transportation, who would welcome the
21 opportunity to serve their country by working with the
22 Australians to guarantee safe delivery and storage of LNG to
23 the Cabrillo Deepwater Port facility.

24 In closing, this is the right project, at the
25 right time, and at the right place to help build a cleaner,

T005-14.1
(cont'd)

T005-14.2

Sections 4.2.7.3 and 4.3.1.5 contain information on the use of
American crews and U.S.-flagged vessels.

T005-14.2

1 nuclear-free California for our children.

2 Thank you.

3 MODERATOR MICHAELSON: The next speaker is

4 Bill Sutton.

COMMENTER
T005-15

5 MR. SUTTON: Thank you for your time. My name is

6 Bill Sutton, from Ojai, California. I'm a member of the

7 Federation of Fisherman's Harvesters, ex-president of the

8 Ventura County Fisherman's Association. I'm representing

9 myself tonight, and my family, my business, the fishing

10 vessel, Aurelia. We're a fishing family for the last 20

11 years in this County, another 15 more years in this State.

12 I'll make it short, your project is in my seasonal

T005-15.1

13 fishing grounds. I'm sure you've already taken this into

14 consideration. If not, you can get ahold of me and we can

15 talk about the other alternatives, or see you at the next

16 meeting.

17 Thank you very much.

18 MODERATOR MICHAELSON: Okay, the next speaker is

19 Jean --

20 (Applause.)

21 MS. ROUNTREE: Good evening, my name is Jean

COMMENTER
T005-16

22 Rountree, and I'm speaking on behalf of the Beacon

23 Foundation, but mostly on behalf of myself.

24 I would like to compliment Billiton on one fine

25 aspect of their research. They came to town, they did their

T005-15.1

Sections 4.16.1 and 4.16.4 contain information on existing commercial fishing conditions and Project impacts.

1 research, they found everyone who was for sale and they
2 bought them.

3 (Laughter.)

4 MS. ROUNTREE: The LNG project is an un-project.
5 It is untried, it is untested. You cannot computer model a
6 reliable scenario for something that has never been built in
7 open, high seas. You know what they say with computers,
8 garbage in, garbage out.

9 So Oxnard has been selected as the lucky Guinea
10 Pig here.

11 So it's untried, untested, and untrue. Figures
12 are manipulated in the EIR. They show a three-tank vessel
13 in their ads and their publicity, but they will end up using
14 five-tank ships, because it will be more economical, faster,
15 more money, quicker. They will be twice as large, twice as
16 unmanageable, they will hold twice as much gas, and they
17 will be twice as dangerous.

18 That which is untested and untrue is also
19 unreliable and unsafe. And it is unconscionable for
20 Billiton to run huge pipes, under high pressure, near
21 schools, where the children of Oxnard's working poor sit at
22 their desks and play on their playgrounds. Especially while
23 the children of Billiton's executives sit safe and secure
24 across the sea, in their desks, growing richer by the
25 minute.

T005-16.1

T005-16.1

Section 2.1 contains information on design criteria and specifications, final design requirements, and regulations governing the construction of the FSRU. The Cabrillo Port must be designed in accordance with applicable standards, and the U.S. Coast Guard has final approval. Section 4.2.4 contains information on Federal and State agency jurisdiction and cooperation. The Deepwater Port Act specifies regulations that all deepwater ports must meet; Section 4.2.7.3 contains information on design and safety standards for the deepwater port. Section 4.2.8.2 contains information on pipeline safety and inspections. Impact EJ-1 in Section 4.19.4 addresses additional pipeline design requirements in areas of low-income and minority communities. The EIS/EIR's analyses have been developed with consideration of these factors and regulations and in full conformance with the requirements of NEPA and the CEQA.

T005-16.2

T005-16.2

The LNG carriers would meet all applicable national and international standards as described in Section 4.2.7.3. Prior to initial cargo operations at the FSRU and periodically thereafter, each carrier's compliance with these standards would be verified by the USCG in accordance with Title 46 Code of Federal Regulations Part 153.

T005-16.3

T005-16.3

Section 4.13.1 contains information on sensitive land uses in proximity to proposed and alternative pipeline routes, such as schools. There are no schools in the immediate vicinity of either of the proposed pipeline routes. Section 4.2.8 describes regulations regarding pipelines, including the requirement to establish public education programs to prevent and respond to pipeline emergencies. Section 4.2.8.4 contains information on the estimated risk of Project pipeline incidents. Section 4.16.1.2 describes emergency planning and response capabilities in the Project area.

The proposed pipelines within Oxnard city limits would meet standards that are more stringent than those of existing pipelines because they would meet the minimum design criteria for a U.S. Department of Transportation (USDOT) Class 3 location. Also, MM PS-4c includes the installation of additional mainline valves

equipped with either remote valve controls or automatic line break controls. SoCalGas operates high-pressure natural gas pipelines throughout Southern California.

Section 4.19 contains information on environmental justice.

1 This project is untested, untrue, unsafe,
2 unconscionable, and unjust. It is a textbook case for
3 economic and environmental injustice.

4 Thank you.

5 (Applause.)

6 MODERATOR MICHAELSON: The next speaker is Mary
7 Dodd.

8 MS. DODD: Thank you. I'm speaking for
9 Jean Harris, who's a locally well-known environmentalist in
10 Oxnard. Actually, she received a national award, in
11 Washington D.C., like six years ago or so. She's ill
12 tonight, so I'm speaking for her. I have her written
13 comments.

14 "In my opinion, the draft report is
15 incomplete, and I hope you agree. Both
16 CEQA and NEPA require that an adequate
17 range of alternatives to a proposed
18 project be evaluated in the report.
19 Conservation, efficiency within present
20 technology, and renewal energy are among
21 the alternatives listed, but not
22 evaluated.

23 "Since a number of the negative
24 effects of the proposed project cannot
25 be mitigated, adequate alternatives must

T005-16.4

T005-16.4

Section 4.16 contains information on economic effects, and Section 4.19 contains an environmental justice analysis.

COMMENTER
T005-17

T005-17.1

Both NEPA and the CEQA require the consideration of alternatives to a proposed project. A lead agency's lack of jurisdiction over a potential alternative is one factor that it may consider in determining if a potential alternative is feasible, reasonable, and merits detailed study in an EIS/EIR. Whether a potential alternative is purely hypothetical or speculative, or whether the potential alternative can be accomplished in a successful manner in a reasonable period of time are additional factors the lead agency may consider in assessing the feasibility and reasonability of the potential alternative.

From a NEPA perspective, while a Federal agency must analyze "a range of reasonable alternatives" (as opposed to any and all possible alternatives), and may be required to analyze an alternative that is outside the capability of an applicant and that is outside the jurisdiction of the agency, the threshold question in determining whether to analyze any alternative is whether that alternative would be a "reasonable" alternative. Reasonable alternatives include those that are practical and feasible from the technical and economic standpoint and using common sense (CEQ 40 Questions; #2a).

To provide for an effective "hard look" at the alternatives the agency must limit the range to those alternatives that will best serve the environmental review process, and not needlessly examine and discuss in depth remote or speculative alternatives that that discussion does not facilitate a better decision making process. As stated in 40 CFR 1502.14(a), the EIS should "rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated."

T005-17.2

Section 15126.6(a) of the State CEQA Guidelines states, in part, "[t]he Lead Agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives." The California Supreme Court in the Citizens of Goleta Valley case recognized that while an agency's jurisdiction was only one factor to consider, "[t]he law

does not require in-depth review of alternatives that cannot be realistically considered and successfully accomplished." In addition, the discussion in section 15364 in the State CEQA Guidelines states that "[t]he lack of legal powers of an agency to use in imposing an alternative or mitigation measure may be as great a limitation as any economic, environmental, social, or technological factor."

Chapter 3 discusses energy conservation, efficiency, and renewable sources of energy, and explains why these potential alternatives were not studied in detail in the EIS/EIR. The range of alternatives studied in detail is reasonable and conforms to NEPA and the CEQA requirements.

T005-17.2

NEPA and the CEQA do not dictate an amount of information to be provided but rather prescribe a level of treatment, which may in turn require varying amounts of information to enable reviewers and decision-makers to evaluate and compare alternatives. Sections 3.3.1 and 3.3.2 address conservation and renewable energy sources, within the context of the California Energy Commission's 2005 Integrated Energy Report and other State and Federal energy reports, as alternatives to replace additional supplies of natural gas.

1 be clearly defined for comparison. On
2 the contrary, renewable energy and
3 conservation are dismissed out of hand
4 in the draft report."

5 And she quotes:

6 "In 3.3.2, 'increased use from
7 renewable sources would occur with or
8 without the draft proposed project.'"

9 But there's nothing about increasing the use of
10 renewable sources, it just says they'll be used just like
11 usual. What about the increase? I'm interpolating here.

12 "That's not enough. What's more,
13 the report dismisses conservation in a
14 like manner, 3.3.1, 'ongoing activity
15 would occur whether or not the proposed
16 project is approved.' That's not
17 enough, either.

18 "California abounds in energy from
19 fossil fuel, but before billions of
20 dollars are spent on more of the same,
21 any adequate environmental report must
22 seriously consider the other options and
23 compare their positive and negative
24 environmental effect with the port
25 proposal."

T005-17.2
(cont'd)

1 MODERATOR MICHAELSON: Thank you. We've had
2 another --

3 (Applause.)

4 MODERATOR MICHAELSON: We've had another card
5 turned in by a representative of an elected official,
6 Guillermo Gonzalez, representing Senator Feinstein's staff.
7 If you could come forward?

8 Could we either shut the door or ask the people
9 outside there to be a little more quiet?

COMMENTER
T005-18

10 MR. GONZALEZ: Good evening. My name is Guillermo
11 Gonzalez, from Senator Feinstein's office. I would like to
12 provide the following statement.

13 The Senator recognizes a critical need to provide
14 a reliable, clean, and safe energy source to meet the
15 State's demand. She also recognizes the important need to
16 protect our environment and safeguard the natural beauty
17 that as Californians we enjoy and are proud of.

18 To that end, the Senator wishes to express her
19 desire to work with all the stakeholders in this issue, an
20 important challenge facing this community and our State.

21 Thank you.

22 MODERATOR MICHAELSON: Thank you. The next
23 speaker, then, would be Al Yablon.

COMMENTER
T005-19

24 MR. YABLON: Thank you. My name's Al Yablon, and
25 I'm a Board Member of the Oxnard Shores or, rather, Mandalay

T005-18
Thank you and Senator Feinstein for your interest in the Project.